

4548. Adulteration and misbranding of tomato paste. U. S. * * * v. Luigi Vecchi (Inc.), a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 6773. I. S. Nos. 626-h, 3366-h, 221-k, 11115-k.)

On April 7, 1916, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Luigi Vecchi, (Inc.), a corporation, trading and doing business at Hazlet, N. J., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 22, 1913, from the State of New Jersey into the State of New York, of a quantity of tomato paste, which was adulterated and misbranded, and, on or about December 10, 1913, and September 8, 1914, from the State of New Jersey into the State of New York, of quantities of tomato paste which was adulterated, and on or about October 24, 1914, from the State of New Jersey into the State of Illinois, of a quantity of tomato paste, which was adulterated. The article in each of the shipments was labeled: (On can) "Parma Brand Conserva Di Pomodoro Tomato Paste" (Design of girl with basket of tomatoes) "This is the first concentrated Tomato Paste made in America. It is manufactured with the latest improved machinery under the strictest sanitary conditions by men of long experience from Parma, Italy. It is made from the best selected ripe Jersey tomatoes and is guaranteed to be free from any coloring or chemical substance. It is found very convenient for preparing spaghetti, rice, meats or any dish requiring tomatoes and is a delicious flavoring and coloring for soups and sauces. Used by all first class hotels and restaurants. Best in the World. Parma, Luigi Vecchi, Inc. New York Factory, Hazlet, N. J. Contents 15 oz. Net Guaranteed by Luigi Vecchi, Inc., under the Food and Drugs Act, June 30, 1906. Serial No. 44720." (Stamped in top of tin on top of can) "Sanitary."

Analyses of samples of the articles in the various shipments by the Bureau of Chemistry of this department showed the following results:

Destination and date of shipment.		Sample No.	Yeast and spores per $\frac{1}{8}$ cubic millimeter.	Bacteria per cc	Mold filaments. ¹	Remarks.
To New York..	Nov. 22, 1913	A	297	850,000,000	18	Partially decomposed vegetable product.
Do.....	.....do.....	B	348	850,000,000	30	Do.
Do.....	Dec. 10, 1913	A	850	700,000,000	46	Do.
Do.....	.....do.....	B	950	850,000,000	40	Do.
Do.....	Sept. 8, 1914	A	1,800	750,000,000	32	Do. ²
Do.....	.....do.....	B	2,000	850,000,000	36	Do. ²
To Illinois.....	Oct. 24, 1914	A	1,100	482,000,000	16	Do.
Do.....	.....do.....	B	1,200	360,000,000	18	Do.

¹ Results expressed as per cent of microscopic fields in which mold filaments were present.

² Contained much salt.

Weight claimed for samples of first New York shipment: 15 ounces.

Can A—weight of contents, 15.2 ounces.

Can B—weight of contents, 13.8 ounces; short 1.2 ounces, or 8 per cent.

Can C—weight of contents, 14.0 ounces; short 1.0 ounce, or 6.7 per cent.

Can D—weight of contents, 14.3 ounces; short 0.7 ounce, or 4.6 per cent.

Can E—weight of contents, 13.8 ounces; short 1.2 ounces, or 8 per cent.

Can F—weight of contents, 13.8 ounces; short 1.2 ounces, or 8 per cent.

Average shortage on six cans, 0.9 ounce, or 5.7 per cent.

Adulteration of the article in each of the shipments was alleged in the information for the reason that it consisted in whole or in part of a decomposed vegetable substance.